<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-									
REGULATORY PROJECT N	MANAGE	R: Ka	ate Bliss		Da	ite: 2/23/07			
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETED		the office	()			
At the project site Y (Y/N) Date: 11/16/06  PROJECT LOCATION INFORMATION:  State: Illinois County: McHenry Center coordinates of site by latitude & longitudinal coordinates: 42.2809955209, -88.4337894163 Approximate size of site/property (including uplands & in acres): 100 Name of waterway or watershed: Kishwaukee  SITE CONDITIONS:									
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ас	3-5 ac	5-10 ac	10-25	ac 25-50 ac	100000000000000000000000000000000000000	Linear feet	Unknown
Lake			П	П				ieet	
River	17	H	H	ΤĦ	ᅥ片				<u> </u>
Stream	一一	Ħ	Ħ	Ħ	n				<u> </u>
Dry Wash	Ħ	Ħ	ī			一一	THE T		<u> </u>
Mudflat	Ti	Ħ	Ħ	i ii	一一				ñ
Sandflat									
Wetlands	Ħ		Π	$\overline{\boxtimes}$	一百				
Slough	TH	Ħ		Ħ		T Fi			Ti -
Prairie pothole		Ħ			T		T T		<u> </u>
Wet meadow		Ħ	Ħ	一	T T	Ħ			<u> </u>
Playa lake		H	Ħ	Ħ-	ī	一一	THE T		Ħ
Vernal pool	T	Ħ		<del>    -</del>	Ħ	H	<b>-</b>   -   -   -   -   -   -   -   -   -		<u> </u>
Natural pond	TH	Ħ	Ħ	<del>    -</del>	一百	F			<del></del>
Other water (identify type)									
<sup>1</sup> Check appropriate boxes that be jurisdictional aquatic resource ar	st describe ea.	type of iso	lated, non	-navigable	intra-state	water present	and best estimate	for size of n	ion-
Migratory Bird Rule Factors <sup>1</sup> :				If Known	_	If Unknown Use Best Pro	fessional Judgmer	nt	
				Yes	No	Predicted to Occur	Not Expected to Occur	Not A	ble To Make ermination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?									
<u> </u>									
Is or would be used as habitat for endangered species?									
Is used to irrigate crops sold in interstate commerce?					$\boxtimes$				
<sup>1</sup> Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.									
TYPE OF DETERMINATION: Preliminary ☐ Or Approved ☒									

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

## APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: Woolpert, Inc. PROJECT LOCATION/WATERWAY: West of I-355 and North of I-55 in Bolingbrook, Will County, Illinois / Lily Cache Creek FILE NUMBER: LRC-2006-23439 PROJECT REVIEW COMPLETED: Office Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>U. S. Fish and Wildlife Service National Wetland Inventory: ROMEOVILLE.</li> <li>U. S. Geological Survey Hydrologic Atlas: ROMEOVILLE, 146.</li> <li>USDA Natural Resources Conservation Service Soil Survey for Will County.</li> <li>U. S. Geological Survey 7.5-Minute Topographic Maps: ROMEOVILLE, 1993.</li> <li>U. S. Geological Survey 7.5-Minute Historic Quadrangles:</li> <li>U. S. Geological Survey 15-Minute Historic Quadrangles:</li> <li>Aerials (Name &amp; Date):1980, 1984, 1996</li> <li>Advanced Identification Wetland Maps:</li> <li>Site Visit Conducted on:</li> <li>Other information: November 11, 2005 EnCAP, Inc. Wetland Delineation Report</li> </ul>
Rationale for Basis (applies to any boxes checked above): Wetland 1 drains off-site and into a detention basin; wetland 2 is an isolated depression; therefore, both areas are isolated and non-juridictional. Wetland 3 is part of a large off-site wetland that is adjacent and contiguous with Lily Cache Creek; Lily Cach Creek flows into the Des Plaines River, which is navigable below the Hoffman Dam in Riverside, Illinois.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  ☐ This office concurs with your wetland delineation report dated November 11, 2005, prepared by EnCAP, Inc. ☐ This office does not confirm your wetland boundary
Recommended by: Date: Date:
Approved by: Date: 15 F630
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

occurrence of hydrophytic vegetation, hydric soils and welland hydrology). Processes for determining wellands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

#### INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-23439									
REGULATORY PROJECT N	MANAGE	R: M	ike Mach	alek	Date:	15 Feb 2007	7		
PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: 15 Feb 2007  At the project site (Y/N) Date:									
PROJECT LOCATION INFORMATION: State: County: Will Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: Lily Cache Creek SITE CONDITIONS:									
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-invisedictional aquatic resource area.									

Migratory Bird Rule Factors':	If K	nown	If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
ls or would be used as habitat for birds protected by Migratory Bird Treaties?						
Is or would be used as habitat by other migratory birds that cross state lines?						
Is or would be used as habitat for endangered species?						
Is used to irrigate crops sold in interstate commerce?				$\boxtimes$		
Check appropriate boxes that best describe potential for applinon-navigable, intra-state aquatic resource area.	icability of t	he Migrator	y Bird Rule to	apply to onsite, non-	jurisdictional, isolated	

#### TYPE OF DETERMINATION:

Preliminary	Or Approved	$\boxtimes$
1 Chiminal y	OI Applottu	- 1

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

#### APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Woolpert, Inc. PROJECT LOCATION/WATERWAY: West of Cedar Road and North of Rt. 6 in New Lenox, Will County, Illinois / Spring Creek Watershed FILE NUMBER: LRC-2006-1342 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: MOKENA. U. S. Geological Survey Hydrologic Atlas: MOKENA, 204. □ USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: MOKENA, 1993. U. S. Geological Survey 7.5-Minute Historic Quadrangles: U. S. Geological Survey 15-Minute Historic Quadrangles: Aerials (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: Other information: December 4, 2006 Wetland Delineation Report by EnCAP, Inc. Rationale for Basis (applies to any boxes checked above): Wetlands 1, 2 and 3 are adjacent and contiguous to Spring Creek and it's tributary; Spring Creek flows to the Des Plaines River, which is navigable below the Hoffman Dam in Riverside, Illinois. Farmed wetlands 1 and 2 are isolated, and therefore non-jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated December 4, 2006, prepared by EnCAP, Inc. This office does not confirm your wetland boundary Date: 12468 07 Recommended by: Date: Approved by:

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

# DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

Date: December 4, 2006

Mike Machalek

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1342

REGULATORY PROJECT MANAGER:

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: 12 Feb 2007 At the project site (Y/N) Date:									
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of s Name of waterway or SITE CONDITIONS:	f site by l site/prope	atitude & erty (incli	0			236 A	79840323 / -87	7.975449245	6
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 a	10-25	ac 25-50 ac	> 50 ac	Linear	Unknown
Lake		1	$\vdash \sqcap$	10		$\neg$		feet	<del> </del>
River	H	+#-	+-	+片		$\dashv \exists \vdash$	<del>-   -  </del> -		
Stream		+=	+=	ᆂ		<del>-   -  </del> -	<del></del>	-	
Dry Wash	片	+	-	<del>-     -  </del>	<del>-    -  </del>				1
Mudflat	<del>                                     </del>	+-	+=	+ $+$ $+$		$\dashv \dashv$	-	+	1 ==
Sandflat		+		┥∺┈	무			-	+=-
Wetlands	<del>                                      </del>	++	H	++-			-   -	+	<del>                                     </del>
Slough	<del>   </del>	++-	H	<del>-   -  </del>			᠆├		+
Prairie pothole	<del>                                     </del>	<del>   -  </del> -	+#-		<del>-   -   -   -   -   -   -   -   -   -  </del>		-   -		<del>                                     </del>
Wet meadow	<del>                                     </del>	<del>                                     </del>	+-			<del>-    -  </del>	<del>-                                    </del>		<del>                                     </del>
110.00 MODEL N. D.		<del>                                     </del>	<del>                                     </del>	12					<del>                                     </del>
Playa lake	H		+ 📙	+ H			_   -		<del>                                     </del>
Vernal pool	- 님		-	<del>-  </del>					
Natural pond		14	14-		-				<del>-</del>
Other water (identify type)									LJ
Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.									
					,				
Migratory Bird Rule Factors <sup>t</sup> :				If K	(nown		V2(0 (20)0)	known	
				Yes	No	Predicted	Not Expected		Able To Make
				1 63	100	to Occur	Occur	COLUMN ST. STREET ST.	termination
Is or would be used as habitat for	birds prot	ected by	_				⊠ Occur		
Migratory Bird Treaties?				_					
Is or would be used as habitat by o	ther migr	atory bird	s that			$\boxtimes$			
cross state lines?									
Is or would be used as habitat for endangered species?							$\boxtimes$		
Is used to irrigate crops sold in int									
Check appropriate boxes that bes			or applic	ability of t	he Migratory	y Bird Rule to a	apply to onsite,	non-jurisdict	ional, isolated,
non-navigable, intra-state aquatic resource area.									
TYPE OF DETERMINATION: Preliminary ☐ Or Approved ☒									
OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 -									
rationale used to determine NJ									
connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):									

#### APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Carlson Brothers, Inc. PROJECT LOCATION/WATERWAY: South of Airport Road and East of Weber Road in Romeoville, Will County, Illinois PROJECT REVIEW COMPLETED: ☐ Office ☐ Field FILE NUMBER: LRC-2006-1227 Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: JOLIET. U. S. Geological Survey Hydrologic Atlas: JOLIET, 89. USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: JOLIET, 1993. U. S. Geological Survey 7.5-Minute Historic Quadrangles: U. S. Geological Survey 15-Minute Historic Quadrangles: Aerials (Name & Date):Summer 2001, Fall 2002, Summer 2004 Advanced Identification Wetland Maps: Site Visit Conducted on: Other information: October 25, 2006 EnCAP, Inc. Wetland Delineation Report Rationale for Basis (applies to any boxes checked above): Wetland I and Farmed Wetland 2 are part of the unnamed tributary to Mink Creek; Mink Creek flows into the Des Plaines River, which is navigable below the Hoffman Dam in Riverside, Illinois. Farmed wetlands 1 and 3 are isolated, and therefore, non-jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: destruction of terrestrial vegetation clear, natural line impressed on the bank the presence of litter and debris shelving changes in the character of soil $\boxtimes$ wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

, prepared by

Confirmation of Wetland Boundaries

This office concurs with your wetland delineation report dated

This office does not confirm your wetland boundary

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-									
REGULATORY PROJECT M	1ANAGE	R: M	ike Mad	chalek	D	ate: 09 Feb 0	7		
PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: 09 Feb 07 At the project site (Y/N) Date:									
PROJECT LOCATION INFORMATION:  State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed:  SITE CONDITIONS:  (Y/N) Date:  (Hinois (Will (1.6084970909 /-88.1220974604)  (A) Approximate size of site/property (including uplands & in acres): (P/N) Date:  (Y/N) Date:									
Type of aquatic resource1	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	c > 50 ac	Linear feet	Unknown
Lake									
River		T T		一百			一百一		
Stream	Ħ	Ħ-	一百			<u> </u>	— F		
Dry Wash	ΤĒ	Ħ							
Mudflat	ΙΠ	ΙĦ		一百		一一	Th		THE STATE OF THE S
Sandflat	17	ΙĦ	一			一一	一市		
Wetlands		177		一一	T				15
Slough	Ħ	<del>                                     </del>	H	ᅥᆔ	Ħ	<u> </u>			† 🗂
Prairie pothole	<del>                                     </del>	15	Ħ	TH	TH		一百		
Wet meadow	Ħ	15-	H	TH					
Playa lake	H	<del>                                     </del>	H			<del>- 1</del>			
Vernal pool	<u> </u>	Ħ	Ħ	ᅥᆔ					
Natural pond	Ħ	Ħ	<b>ऻ</b> ∺ः	ᅥᆔ					1 🗂
Other water (identify type)							Ō		
Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.									
Migratory Bird Rule Factors <sup>1</sup> : If Known If Unknown									
							Use Best Profes		
				Yes	No	Predicted to Occur	Not Expected Occur		Able To Make termination
Is or would be used as habitat for	birds prot	ected by							-
Migratory Bird Treaties?	940					62	_		
In an averald has said as habites has	* th a w !	ataur binde	+ beat	1 1 1	1 1 1	I IVI	1 1 1	1 1 1	

			to Occur	Occur	Determination		
Is or would be used as habitat for birds protected by							
Migratory Bird Treaties?							
Is or would be used as habitat by other migratory birds that			$\boxtimes$				
cross state lines?							
Is or would be used as habitat for endangered species?							
Is used to irrigate crops sold in interstate commerce?							
<sup>1</sup> Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated,							
non-navigable, intra-state aquatic resource area.							

Preliminary ☐ Or Approved ⊠

TVDE	OF	DETER	DATINIA	TION.
IYPE	T J I	116 1 6 6	CIVILINA	

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

### APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: Indiam Prairie School District PROJECT LOCATION/WATERWAY: 80 Aere Farm Parcel SW of 75 <sup>th</sup> Street and Rt. 59 in Aurora, DuPage County, Illinois / Spring Brook Creek	
FILE NUMBER: LRC-2007-51 PROJECT REVIEW COMPLETED: ☑ Office ☐ Field	
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.	
Basis of Jurisdictional Determination:	
There are no jurisdictional waters of the United States present on the project site.  The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))  The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))  The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))  The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))  The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).  Other:  Section 10 waterway.	
Information Reviewed  U. S. Fish and Wildlife Service National Wetland Inventory: NAPERVILLE.  U. S. Geological Survey Hydrologic Atlas: NAPERVILLE, HA 154.  USDA Natural Resources Conservation Service Soil Survey for DuPage County.  U. S. Geological Survey 7.5 Minute Topographic Maps: NAPERVILLE, 1993.  U. S. Geological Survey 7.5 Minute Historic Quadrangles:	
Rationale for Basis (applies to any boxes checked above): There are two isolated farmed wetlands in a highly urbanized area, with no visible outlets to any other Water of the U.S.; and therefore are non-jurisdictional.	
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other	
Basis for Declining Jurisdiction:	
<ul> <li>☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>☑ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>	
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]	
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary.	
Recommended by: Date: 28 feb 07	
Approved by: Date:	
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).	

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2007-51			
REGULATORY PROJECT MANAGER: Mike M	Machalek D	Jute: 28 Feb 2007	
PROJECT REVIEW/DETERMINATION COMPLE	TED: In the offic At the project si	ce Y (Y/N) ite (Y/N)	Date: 28 Feb 2007 Date:
PROJECT LOCATION INFORMATION: State: County:		Illinois DuPage	
Center coordinates of site by latitude & long Approximate size of site/property (including Name of waterway or watershed:		80 Acres	81653/-88.2139090471 rook Creek
SITE CONDITIONS:		0,71116	

Type of aquatic resource	0-1 ×c	1-3 ac	J-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandilat									
Wellands	Ø								
Slough									
Prairie pothole									
Wet meaduw									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
Check appropriate boxes that	hest describe	type of iso	lated, non-	-nuvigable, li	ntra-state wat	er present an	d best estlm	ate fur size of	non-

Migratory Bird Role Factors';	If Knov	YH	25/10/10/20/20/20/20/20/20/20/20/20/20/20/20/20	If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination			
is or would be used us habitat for birds protected by Migratory Bird Treaties?				Ø				
ls or would be used as habitat by other migratory birds that cross state lines?			Ø					
is or would be used as habitat for endangered species?								
Is used to irrigate crops sold in Interstate commerce?					Ø			
Check appropriate hoxes that best describe potential for appl non-navigable, intra-state aquatic resource area.	icability o	The Migrat	ory Bird Rule to	apply to ousite, non-	jurisdictional, isolated			

THE OF DETERMINATION;	Preminary [	Or Approved 🖂
OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (orationale used to determine NJD, including information reviewed to as connections; and paragraph 4 - site information on waters of the U.S.	ssess potential navigati	

U.S. Army Corps of Engineers, Chicago District

APPLICANT: The Missner Group PROJECT LOCATION/WATERWAY: East of Westgate Drive and south of St. Charles Road in Carol Stream, DuPage County, Illinois / West Branch DuPage River watershed. FILE NUMBER: LRC-2007-42 PROJECT REVIEW COMPLETED: 
☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: WEST CHICAGO. U. S. Geological Survey Hydrologic Atlas: WEST CHICAGO, HA 202. ☐ USDA Natural Resources Conservation Service Soil Survey for DuPage County. U. S. Geological Survey 7.5 Minute Topographic Maps: WEST CHICAGO, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: Other information: EnCAP, Inc. Wetland Delineation Report dated December 6, 2006. Rationale for Basis (applies to any boxes checked above): The wetland in the NE corner is an isolated depression; and the ditch is a man-made conveyance to a detention basin, therefore, both areas are non-jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: destruction of terrestrial vegetation clear, natural line impressed on the bank the presence of litter and debris ■ shelving other changes in the character of soil wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated December 6, 2006, prepared by EnCAP, Inc. This office does not confirm your wetland boundary. Date: 26 F&B OF Recommended by: \_ Date: \_ 7 / F 3 Approved by: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2007-4											
REGULATORY PROJECT M	IANAGE	R: M	ike Mac	halek		Date: 2	26 Feb 200	7			
PROJECT REVIEW/DETER			PLETE		n the o	ffice Y t site	(Y/N) (Y/N)	Date: 26 F	Feb 2007		
PROJECT LOCATION INFORMATION:  State: County: DuPage Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: West Branch DuPage River  SITE CONDITIONS:  Type of sourtie resource   0.1 ce   1.2 ce   2.5											
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-	-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown	
Lake	$\Box$		П			}	$\Box$		lect	$\vdash$	
River	ΙΠ		一百								
Stream						j -					
Dry Wash											
Mudflat											
Sandflat						]					
Wetlands											
Slough											
Prairie pothole		ΙÑ	ħ	TH	7		Ī				
Wct meadow		Ī	<del>                                      </del>	一一	一百						
Playa lake	ΙΠ		in -								
Vernal pool	Ħ									<del>                                   </del>	
Natural pond		n	Ħ	17			ī				
Other water (identify type)											
'Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	lated, no	n-navigable	, intra-s	tatc wate	r present a	nd best estima	ate for size of	non-	
Migratory Bird Rule Factors <sup>1</sup> :				If Known			If Unknown Use Best Professional Judgment				
				Yes	No		dicted Occur	Not Expected Occur		ble To Make ermination	
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ected by									
Is or would be used as habitat by coross state lines?	other migr	atory birds	that								
Is or would be used as habitat for								$\boxtimes$			
Is used to irrigate crops sold in int								⊠			
Check appropriate boxes that bes non-navigable, intra-state aquatic			or applic	ability of th	ne Migra	itory Bird	t Rule to ap	ply to onsite,	non-jurisdict	ional, isolated,	
TYPE OF DETERMINATION	N:					Prelim	inary 🗌	Or Appro	oved 🛚		
OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce											

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

APPLICANT: William Rawlings PROJECT LOCATION/WATERWAY: Crystal Lake
FILE NUMBER: LRC-2006-1291 PROJECT REVIEW COMPLETED:   Office Field
Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2).  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site.  The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))  The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))  The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))  The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))  The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).  Other:  Section 10 waterway.
Information Reviewed
<ul> <li>☑ U. S. Fish and Wildlife Service National Wetland Inventory: CRYSTAL LAKE.</li> <li>☑ U. S. Geological Survey Hydrologic Atlas: CRYSTAL LAKE, HA 253.</li> <li>☑ USDA National Resources Conservation Service Soil Survey for McHenry County.</li> <li>☑ U. S. Geological Survey 7.5 Minute Topographic Maps: CRYSTAL LAKE, 1992.</li> <li>☑ U. S. Geological Survey 7.5 Minute Historic Quadrangles: CRYSTAL LAKE, 1962.</li> <li>☑ U. S. Geological Survey 15 Minute Historic Quadrangles:</li> <li>☑ Aerial Photographs (Name &amp; Date): 2005, 2004, 2001</li> <li>☑ Advanced Identification Wetland Maps: MCHENRY COUNTY</li> <li>☐ Site Visit Conducted on:</li> <li>☐ Other information:</li> </ul>
Rationale for Basis (applies to any boxes checked above): Two isolated forested wetlands are located on the subject property. Since there is no surface water connection to a navigable waterway, the wetlands are not regulated by the Department of the Army.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  ☐ This office concurs with your wetland delineation report dated ☐ This office does not confirm your wetland boundary  ☐ This office does not confirm your wetland boundary
Recommended by: Date: 2 20 0 7
Recommended by:   Date:   2   2   0   7

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: LRC-2006-									
REGULATORY PROJECT M	<b>MANAGE</b>	R: Ka	ate Bliss	;	D	ate: 2/26/07			
PROJECT LOCATION INFO			PLETE		the office project sit	e Y (Y/N) te (Y/N)	Date: 2/26/0 Date:	07	
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of Name of waterway of SITE CONDITIONS:	f site by I site/prope	atitude & erty (inclu				Illinois McHer 42.246 20 Fox		705116367	
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ae	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear feet	Unknown
Lake	In		m					1001	
River	+=		<del>                                     </del>	- 금	ᅥ片	<del>-       -                              </del>		<u> </u>	<del>                                     </del>
Stream		+=	<del>-</del> ⊢	<del>-   =  </del> -		<del>-    -  </del>	+ = +	-	<u> </u>
Dry Wash	╁┼	++-	+=		<b>⊣∺</b>	-   -			
Mudflat	++	H	<del>├</del> ┼-		<del>-     -</del>		+  otag		<del>                                     </del>
Sandflat	++ -	<del>                                     </del>	<b>⊹</b> ¦;	$\dashv  eg = $	<del>-    -  </del> -		++		<del>                                     </del>
	<del> </del>	++	<b>├</b>	<del>-     -</del>	<del></del>				<del>                                     </del>
Wetlands	1 💾	<b>├</b> ├	<del>      -</del>	<u> </u>	<del>-  -  -</del>				<u> </u>
Slough	14-	<del>      -</del>	<b>├</b>				12-1		
Prairie pothole	<b>┦</b> Ц	<u> </u>	닐 _			_	<u> </u>		
Wet meadow	<b>.</b>								
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
<sup>1</sup> Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	lated, no	n-navigable,	intra-state	e water present a	and best estimate	e for size of	non-
Migratory Bird Rule Factors <sup>1</sup> :				If Known	10.15	If Unknown Use Best Prof	essional Judgme	nf	·
100 C 100 C 100 C 100 C		ne de l'est		Yes	No	Predicted to Occur	Not Expected t	o Not A	ble To Make ermination
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ected hy							
Is or would be used as habitat by cross state lines?	other migr	atory birds	s that	$\boxtimes$					
Is or would be used as habitat for	endangere	d species?					$\boxtimes$		
Is used to irrigate crops sold in in	terstate co	mmerce?			$\boxtimes$				
<sup>1</sup> Check appropriate boxes that be non-navigable, intra-state aquatic			or applic	cability of the	Migrator	y Bird Rule to a	pply to onsite, n	on-jurisdicti	onal, isolated,
TYPE OF DETERMINATION	N:				P	reliminary 🗌	Or Approv	ed 🛚	
OPITIONAL ADDITIONAL rationale used to determine N	JD, includ	ding infor	mation	reviewed to	assess po	tential naviga			
connections; and paragraph 4	- 2116 IIII	บายเสนเดก	UII WALE	is of the U.	o. occurr	ing onsite):			

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Century Development Group PROJECT LOCATION/WATERWAY: Aurora, DuPage County FILE NUMBER: LRC-2006-1338 PROJECT REVIEW COMPLETED: 
☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. ☐ There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: NAPERVILLE, HA 154. USDA Natural Resources Conservation Service Soil Survey for DuPage County. U. S. Geological Survey 7.5 Minute Topographic Maps: NAPERVILLE, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: WHEATON, 1908. Aerial Photographs (Name & Date):1939, 2001, 2002, 2004 Advanced Identification Wetland Maps: Site Visit Conducted on: Other information: Rationale for Basis (applies to any boxes checked above); Wetland 1 is a detention basin and does not exhibit a surface water connection to a navigable waterway, and is therefore not subject to Department of the Army regulations. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary. Date: 2-26-2007 Recommended by: \_\_\_ 2-25-200> Approved by:

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delincated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-												
REGULATORY PROJECT MANAGER: Kimberly Fisher Date: 2/26/2007												
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETE		In the offic e project si		Date: 2/26/2	2007				
PROJECT LOCATION INFORMATION:  State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed:  SITE CONDITIONS:  At the project site (1714) Date:  Illinois DuPage 6.7 6.7 Lower Fox												
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 a	c 10-25	ac 25-50 ac	> 50 ac	Linear	Unknown			
▼ 1 00 mm card annualm 200 mm cardendam			AN	22 + 11 42		2002	9 180 180.00	feet				
Lakc												
River												
Stream												
Dry Wash	16 -		Ī	15								
Mudflat		i iii —	Ħ	TH								
Sandflat	17	Ħ –	1 🗂 🗆	一一	一百		<del> </del>					
Wetlands		<del>      -  </del>	Ħ		<del>-     -   -   -   -   -   -   -   -   -</del>	<u> </u>		-	<del>                                     </del>			
Slough	<del>                                      </del>	+=	<del>      -</del>	<del>- H-</del>	一十一	<del>-    -   -   -   -   -   -   -   -   - </del>	<del>                                      </del>	_	<del> </del>			
Prairie pothole	+=	H	╁┼	<del>       </del>	<del>-       -</del>	<del>-     -</del>			<del>                                     </del>			
Wet meadow	+=		╁┼	- 금	<del></del>							
Playa lake	<del>                                     </del>	<del>                                     </del>	+	<del>     </del>								
Vernal pool	+=		╁┼						<del>                                     </del>			
Natural pond	+=	H	+ =	++	<del></del>	<del>-    -</del>	<del>-     -   -  </del>		<del>   </del>			
Other water (identify type)	┦╫┈		<del>                                     </del>	ᅥ岩	ᅱ片		$\dashv \vdash \vdash$		<del>                                     </del>			
<sup>1</sup> Check appropriate boxes that be jurisdictional aquatic resource ar		type of iso	lated, no	n-navigab	le, intra-state	e water present	and best estimate	for size of	non-			
							_					
Migratory Bird Rule Factors <sup>1</sup> :	, i		7-1	If Know	ň	If Unknown Use Best Pro	fessional Judgme	nt				
				Yes	No	Predicted to Occur	Not Expected to Occur		ble To Make ermination			
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ected by										
Is or would be used as habitat by cross state lines?	other migr	atory bird	s that									
Is or would be used as habitat for	endangere	d species?										
Is used to irrigate crops sold in in	terstate co	mmerce?					⊠					
Check appropriate boxes that be			or applic	ability of	the Migrator	y Bird Rule to	apply to onsite, no	on-jurisdicti	onal, isolated,			
TYPE OF DETERMINATION:  Preliminary  Or Approved												
OPITIONAL ADDITIONAL	INFORM	ATION S	SUPPOR	RTING N	IJD (e.g., pa	ragraph 1 – s	ite conditions; p	paragraph:	s 2-3 –			

rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

<b>APPLICANT:</b> City of Braidwood Braidwood, Will County, Illinois	PROJECT LOCATION/WATERWAY: Southwest Corner of Spring Road and I-55 in								
FILE NUMBER: LRC-2007-22	PROJECT REVIEW COMPLETED: ⊠ Office ☐ Field								
action. (33 CFR 331.2)  Based on available information of the Company of the Comp	e project site.								
Basis of Jurisdictional Determination	ı:								
☐ The presence of waters which interstate or foreign commerce, in of the U.S.) (33 CFR 328.3(a)(1)) ☐ The presence of interstate was ☐ The presence of a tributary to ☐ The presence of wetlands adjexcept for those wetlands adjexcept for those worklands with the presence of an isolated with the pr	aters of the United States present on the project site. In are currently used, or were used in the past, or may be susceptible for use to transport cluding all waters which are subject to the ebb and flow of the tide (i.e., navigable waters ters (including interstate wetlands <sup>1</sup> ). (33 CFR 328.3 (a)(2)) In an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) In accent (including, contiguous, or neighboring) to interstate or other waters of the US, accent to other wetlands. (33 CFR 328.3 (a)(7)) In accent (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, prairie potholes, wet meadows, playa lakes, or natural ponds).								
Information Reviewed									
U. S. Geological Survey USDA Natural Resource U. S. Geological Survey U. S. Geological Survey U. S. Geological Survey Aerials (Name & Date): Advanced Identification Site Visit Conducted on	Service National Wetland Inventory: WILMINGTON. Hydrologic Atlas: WILMINGTON, 306. es Conservation Service Soil Survey for Will County. 7.5-Minute Topographic Maps: WILMINGTON, 1993. 7.5-Minute Historic Quadrangles: 15-Minute Historic Quadrangles:  Wetland Maps: and report dated December 26, 2006, prepared by Strand Associates, Inc.								
	oxes checked above): The subject on-site wetland was historically cut-off from the -55; and so has no outlet and therefore is non-jurisdictional.								
Crdinary High Water Mark in clear, natural line impre the presence of litter an changes in the character wetland boundary	ndicated by: ssed on the bank  destruction of terrestrial vegetation d debris  shelving								
Basis for Declining Jurisdiction:									
Area under consideration	te of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria								
☐ Headquarters declined to appr	ove jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]								
This office does not confirm	wetland delineation report dated , prepared by , your wetland boundary								
Recommended by:	Date: 22 F & 3 >								
Approved by:	Date: 22 F & 2								
<sup>1</sup> Wetlands are identified and delineated usin	g the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,								

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicag FILE NUMBER: LRC-2007-										
REGULATORY PROJECT	MANAGE	CR: M	like Mac	chalek	D	ate: 22 Feb 07	7			
PROJECT REVIEW/DETER	RMINATI	ON COM	PLETE		In the offic e project si	e Y (Y/N) te (Y/N	Date: 22 Fe	ь 07		
PROJECT LOCATION INFO State: County: Center coordinates Approximate size of	of site by l	atitude & erty (incli				2.11 /	38769901/-88.24 Acres	125189674		
Name of waterway of SITE CONDITIONS:	or watersn	ea:				Стаур	ool Ditch			
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear feet	Unknown	
Lake										
River	17	† <del>                                     </del>	一一	TH				-		
Stream	T							· ·		
Dry Wash	15		<u> </u>		<b>⊣</b> ⊢		<del> </del>			
Mudflat	<del>      -   -     -                      </del>	<del>                                     </del>	tĦ-	一一	<b>─</b>				15	
Sandflat	ᅥ岩	+ =		一一	一片	<del>-     -  </del>				
Wetlands		177	17	ᅥᆏ	H	ᅥ片	H -		<del>                                     </del>	
Slough	+#-	H	H		<b>→</b> ∺				<del>                                     </del>	
Prairie pothole	17	+=	<del>                                     </del>	᠆⊨	$\dashv \exists$	-HH		-	+	
Wet meadow	+∺-	H	H	ᅮ	ᅥ片		<del> </del>		+= -	
Playa lake	+#-	H	<del>                                     </del>	ᅥ片	H	-HH	<del></del>			
Vernal pool	+=-	+=	╁∺╌	ᅥᆏ			<del>-   Fi  </del>		H	
Natural pond	ᆛ片	H	+ =	ᆉ	$\dashv \dashv$	$\dashv \exists$	급		12	
Other water (identify type)										
¹Check appropriate boxes that be jurisdictional aquatic resource as		type of iso	lated, no	n-navigabl	e, intra-state	e water present	and best estimate	e for size of	non-	
		_								
Migratory Bird Rule Factors <sup>1</sup> :				It k	nown	1	If Unkn Use Best Profession		ent	
				Yes	No	Predicted to Occur	Not Expected t		Able To Make termination	
ls or would be used as habitat for	r birds prot	ected by					⊠			
Migratory Bird Treaties? Is or would be used as habitat by cross state lines?	other migr	atory bird	s that							
Is or would be used as habitat for	endangere	d species?					×	1		
Is used to irrigate crops sold in in							Ø			
Check appropriate boxes that be			or applic	ability of t	he Migrator	y Bird Rule to	apply to onsite, ne	on-jurisdic	tional, isolated,	
non-navigable, intra-state aquati							-			
TYPE OF DETERMINATIO	TYPE OF DETERMINATION:  Preliminary  Or Approved									
OPITIONAL ADDITIONAL	INFORM	ATIONS	SHPPOI	TING N	ID (e.g. na	ragraph 1 _ s	ite conditions: I	naragrant	16 7-3 -	

rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

#### APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: WilCo Area Career Center PROJECT LOCATION/WATERWAY: South and east of the Lewis University Airport in Romeoville, Will County, Illinois FILE NUMBER: LRC-2007-10 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: JOLIET. U. S. Geological Survey Hydrologic Atlas: JOLIET, 89. ☐ USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: JOLIET, 1993. U. S. Geological Survey 7.5-Minute Historic Quadrangles: \_\_\_\_\_\_. U. S. Geological Survey 15-Minute Historic Quadrangles: \_\_\_ Aerials (Name & Date): Advanced Identification Wetland Maps: \_ Site Visit Conducted on: Other information: November 8, 2006 Wetland Delineation Report by Ruettger, Tonelli & Associates, Inc. Rationale for Basis (applies to any boxes checked above): The pond and associated wetland fringe appears to have been excavated out of hydric soils. The site is located at the watershed break, and there is no evidence of any outlet to any other water of the U.S.; therefore the subject feature is isolated and non-jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: $\bowtie$ wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated November 8, 2006, prepared by Ruettger, Tonelli & Associates, Inc. This office does not confirm your wetland boundary \_\_\_\_\_\_Date: 21 FEB 07 Recommended by: Date: Approved by:

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

Wetlands separated from other	waters of the U.S. by man-m	ade dikes or barriers	, natural river berms.	beach dunes,	and the like a	re also
adiacent						

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS

RESULTING FROM U.S.	SUPREM	IE COUR	T DEC	ISION IN		ASTE AGEN					
DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2007-											
REGULATORY PROJECT M	1ANAGE	CR: M	like Mad	chalek	D	ate: 21 Feb 20	007				
PROJECT REVIEW/DETER	MINATI	ON COM	PLETE		In the offic e project si	e Y (Y/N) te (Y/N	Date: 21 l	Feb 2007			
PROJECT LOCATION INFORMATION:  State: County: Will Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (inclnding uplands & in acres): Name of waterway or watershed:  SITE CONDITIONS:  Illinois Will 41.6015984359 /-88.0905804881 20 Acres Des Plaines River											
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear feet	Unknown		
Lake		$\dagger \Box$	$\vdash \Box$	$\vdash \sqcap$				1001			
River									16		
Stream											
Dry Wash	1百一		Ħ		一百		一 一				
Mudflat	T T		ΤĦ				一百				
Sandflat	T						一百				
Wetlands	TH -	X	15	一一		<del>-                                      </del>			+ = -		
Slough	† <del>                                     </del>			TH	一一一	-15	TÄ		<del>                                     </del>		
Prairie pothole	17		Ħ	一声	一百				<del>                                     </del>		
Wet meadow	† <del>  </del>	15	H	<del>- 1 Fi -</del>	H		15		十一		
Playa lake	17	15	Ħ	一百一			<del>-                                      </del>				
Vernal pool	Ħ	17		H	一一						
Natural pond	Ħ	177	TH		一十一						
Other water (identify type)	TH -	11	12	一一	H				17		
, , , , ,						-					
Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	lated, no	on-navigabl	e, intra-state	water present	and best estim	ate for size of	non-		
Migratory Bird Rule Factors <sup>1</sup> :				If K	Inown	1	If Un Use Best Profes	known sional Judgn	nent		
				Yes	No	Predicted to Occur	Not Expected Occur	50 74000	Able To Make termination		
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ected by	-								
Is or would be used as habitat by cross state lines?	other migr	atory bird	s that								
Is or would be used as habitat for	endangere	ed species?									
Is used to irrigate crops sold in int											
¹Check appropriate boxes that bes	st describe	potential (	or appli	cability of t	he Migrator	y Bird Rule to	apply to onsite,	non-jurisdic	tional, isolated,		
non-navigable, intra-state aquatic	resource	area					-				
TYPE OF DETERMINATION	N:				P	reliminary [	Or Appro	oved 🛚			
OPITIONAL ADDITIONAL	INFORM	IATION S	SUPPO	RTING N	JD (e.g., na	ragraph 1 – s	ite conditions	: paragrani	ıs 2-3 –		
rationale used to determine N.											
connections: and paragraph 4											

U.S. Army Corps of Engineers, Chicago District

APPLICANT: City of Aurora PROJECT LOCATION/WATERWAY: Orchard Avenue by the Fox River in Aurora, Kane County, Illinois / Fox River FILE NUMBER: LRC-2007-117 PROJECT REVIEW COMPLETED: ☑ Office ☑ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. ☐ There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: AURORA NORTH. U. S. Geological Survey Hydrologic Atlas: AURORA NORTH, HA 70. USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: AURORA NORTH, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: 01 Feb 07 Other information: January 19, 2007 Wetland Delineation Report prepared by Tierra Ecological Consultants. Rationale for Basis (applies to any boxes checked above): The subject pond is an isolated man-made depression with no visible outlet to the river; and therefore is non-jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soils other: wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary. Recommended by:

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2007-117

REGULATORY PROJECT MANAGER: Mike Machalek Date: 13 Feb 07											
PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: 13 Feb 07 At the project site Y (Y/N) Date: 01 Feb 07											
PROJECT LOCATION INFORMATION:  State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed:  SITE CONDITIONS:  Illinois Kane 41.7738265112/-88.3119960212 1.65 Acres Fox River											
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear	Unknown		
		ļ. <u> </u>	<u> </u>					feet	<del></del>		
Lake	$\Box$	$\perp \perp \perp$	14						14		
River					ᆜᆜ				<u> </u>		
Stream	<u> </u>										
Dry Wash	<u> </u>	<u> </u>							↓ 📙		
Mudflat	<b>↓</b> □										
Sandflat											
Wetlands	<u> </u>								<b>↓</b> □		
Slough											
Prairie pothole		↓□									
Wet meadow											
Playa lake											
Vernal pool											
Natural pond											
Other water (identify type)											
Check appropriate boxes that beginning in the course are		type of iso	olated, no	on-navigable,	intra-state	e water present	and best estima	ate for size of	non-		
Migratory Bird Rule Factors':				If Known		If Unknown	Canalamal Ivide				
				Yes	No	Predicted Predicted	fessional Judgn Not Expected		Able To Make		
				103	110	to Occur	Occur		termination		
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ected by									
Is or would be used as habitat by cross state lines?	other migr	atory bird	s that								
Is or would be used as habitat for	endangere	d species?					$\boxtimes$				
Is used to irrigate crops sold in int	terstate co	mmerce?					$\boxtimes$				
'Check appropriate boxes that be			for appli	cability of the	e Migrator	y Bird Rule to a	pply to onsite,	non-jurisdic	tional, isolated,		
non-navigable, intra-state aquatic	resource a	irea.									
TYPE OF DETERMINATION	٧:				P	reliminary 🗌	Or Appro	oved 🛚			
OPITIONAL ADDITIONAL	INFORM	ATION	SUPPO	RTING N II	) (e.g., na	ragraph I – si	te conditions	: paragranl	ıs 2-3 –		
OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph I – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential paying tion or interstate commerce											

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

APPLICANT: George Hiller	PROJECT LOCATION/WATERWAY: Johnsburg
FILE NUMBER: LRC-2006-1198	PROJECT REVIEW COMPLETED: ☐ Office ☐ Field
action. (33 CFR 331.2).  Based on available information. There are no waters on the There are non-jurisdiction. There are waters of the University.	e project site.
Basis of Jurisdictional Determination	1:
The presence of waters which interstate or foreign commerc waters of the U.S.) (33 CFR 3 The presence of interstate wat The presence of a tributary to The presence of wetlands adjate except for those wetlands adjate The presence of an isolated w	atters of the United States present on the project site. In are currently used, or were used in the past, or may be susceptible for use to transport the, including all waters which are subject to the ebb and flow of the tide (i.e., navigable 328.3(a)(1))  ters (including interstate wetlands <sup>1</sup> ). (33 CFR 328.3 (a)(2))  an interstate water or other water of the US. (33 CFR 328.3 (a)(5))  acent <sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, acent to other wetlands. (33 CFR 328.3 (a)(7))  vater (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, prairie potholes, wet meadows, playa lakes, or natural ponds).
Information Reviewed	
<ul> <li>✓ U. S. Geological Survey</li> <li>✓ USDA National Resourc</li> <li>✓ U. S. Geological Survey</li> </ul>	Service National Wetland Inventory: FOX LAKE. Hydrologic Atlas: FOX LAKE, HA 151. ses Conservation Service Soil Survey for McHenry County. 7.5 Minute Topographic Maps: FOX LAKE, 1993. 7.5 Minute Historic Quadrangles: 15 Minute Historic Quadrangles: ne & Date): 2004, 2002, 2001 Wetland Maps: MCHENRY COUNTY.
	oxes checked above): Referencing the Wetland Delineation Report dated August 29, 2006., Wetland 1 does not exhibit a surface water connection to a navigable waterway and is ent of the Army.
Lateral Extent of Jurisdiction (33 CF Ordinary High Water Mark in clear, natural line impre the presence of litter and changes in the character wetland boundary	ndicated by: essed on the bank destruction of terrestrial vegetation d debris shelving
Basis for Declining Jurisdiction:	
Area under consideration	te of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to appro	ove jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
This office does not confirm	wetland delineation report dated , prepared by . your wetland boundary
Recommended by:	Date: 2/13/07
Approved by:	Date: 2/13/07  Date: 2/13/07
hwatenda oo ida aksad o dadii oo da dalii oo daliii oo dalii oo dalii oo dalii oo daliii oo dalii oo dalii oo d	a the methods and evitaria established in the Corne Wetland Delinection Manual (97 Manual) (12

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago

FILE NUMBER: LRC-2006-1	198									
REGULATORY PROJECT M	Y PROJECT MANAGER: Kate Bliss					<b>Date:</b> 2/13/07				
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETE		n the offic project si	e (Y/N teY (Y/N)	fine the same transfer and the same transfer			
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of s	f site by I	atitude &		dinal coor	dinates:	Illinoi McHe	s	221138062		
Name of waterway or SITE CONDITIONS:			<b>-</b>			Fox				
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear fcet	Unknown	
Lake		П								
River		Ħ	一							
Stream	<del>                                      </del>	T	Ħ	1 <b>5</b>	ᅥᆏ				П	
Dry Wash	<del>                                     </del>	tH-	H	+=						
Mudflat	<del>├</del> ≓ -	╁┼	H	╅	<del>- H</del> -		<del>-   H</del>		H	
Sandflat	-	H		+-	ᅮ	-H			H —	
Wetlands		++	H		-       -		<del>-      </del>		片	
		<del>- H</del>								
Slough	H	+#-	<del>    -</del>	<del>-   </del>					<del>                                     </del>	
Prairie pothole	⊢⊢	닏	<del>                                     </del>							
Wet meadow	<u> </u>	ㅏ닏ㅡ	<u> </u>	<u> </u>						
Playa lake	<b>├</b> ├	14-	<u> </u>	<u> </u>			$ \square$			
Vernal pool		<del>      -                                </del>		1 <u> </u>			$\perp \downarrow \perp$			
Natural pond										
Other water (identify type)										
<sup>1</sup> Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	lated, no	n-navigable	, intra-state	e water present	and best estimat	e for size of	non-	
Migratory Bird Rule Factors <sup>1</sup> :				If Known		Use Best Pro	If Unknown Use Best Professional Judgment			
				Yes	No	Predicted to Occur	Not Expected (		ble To Make ermination	
Is or would be used as habitat for Migratory Bird Treaties?										
Is or would be used as habitat by coross state lines?			s that	<b>X</b>						
Is or would be used as habitat for							$\boxtimes$			
Is used to irrigate crops sold in int							$\boxtimes$			
<sup>1</sup> Check appropriate boxes that bes non-navigable, intra-state aquatie			or applic	ability of th	e Migrator	y Bird Rule to	apply to onsite, n	on-jurisdict	ional, isolated,	
TYPE OF DETERMINATION	N:				P	reliminary [	Or Approv	ed 🛚		
OPITIONAL ADDITIONAL 1 rationale used to determine No connections; and paragraph 4	M, includ	ding infor	mation	reviewed t	o assess p	otential navig				

Bolingbrook, Will County, Illinois / Lily Cache Creek Waterway  FILE NUMBER: LRC-2006-1335 PROJECT REVIEW COMPLETED:   Office Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site.  The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))  The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))  The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))  The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))  The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).  Other:  Section 10 waterway.
Information Reviewed
<ul> <li>U. S. Fish and Wildlife Service National Wetland Inventory: ROMEOVILLE.</li> <li>U. S. Geological Survey Hydrologic Atlas: ROMEOVILLE, 146.</li> <li>USDA Natural Resources Conservation Service Soil Survey for Will County.</li> <li>U. S. Geological Survey 7.5-Minute Topographic Maps: ROMEOVILLE, 1993.</li> <li>U. S. Geological Survey 7.5-Minute Historic Quadrangles:</li></ul>
Rationale for Basis (applies to any boxes checked above): The subject wetland is a depressional feature in the landscape and the watershed break, with no discernable outlet to any other Water of the U.S.; and therefore is isolated and non-jurisdictional.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)  Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria  Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated November 28, 2006, prepared by CBBEL.  This office does not confirm your wetland boundary
Recommended by: Date: Date:
Approved by:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

<sup>&#</sup>x27;Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1	335									
REGULATORY PROJECT MANAGER: Mike Machalek Date: 09 Feb 07										
PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: 09 Feb 07 At the project site (Y/N) Date:										
PROJECT LOCATION INFO	RMATI(	ON:								
State:						Illino	is			
County:						Will			v:	
Center coordinates of							811792155 / -88	.0778383550	5	
Approximate size of s			ding up	olands & ii	n acres):	7.5 A				
Name of waterway or SITE CONDITIONS:	watersn	ea:				Lity	Cache Creek			
SHE CONDITIONS:										
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 a	c > 50 ac	Linear feet	Unknown	
Lake										
River										
Stream										
Dry Wash										
Mudflat										
Sandflat										
Wetlands		$\boxtimes$								
Slough										
Prairie pothole										
Wet meadow										
Playa lake										
Vernal pool										
Natural pond										
Other water (identify type)										
Check appropriate boxes that bes	describe	tyne of isol	ated, no	n-navigable	e. intra-state	water present	and hest estimat	c for size of t	100-	
jurisdictional aquatic resource are		() pe or 150.	area, no		.,	water present	and beat commu	C 101 312C 01 1		
•										
						,	<u> </u>		·	
Migratory Bird Rule Factors1:		If K	nown	If Unknown Use Best Professional Judgment						
				Yes	No	Predicted	Not Expected		ble To Make	
				1 03	110	to Occur	Occur		ermination	
Is or would be used as habitat for be Migratory Bird Treaties?										
Is or would be used as habitat by o	ther migra	atory birds	that							
cross state lines?  Is or would be used as habitat for e										
Is used to irrigate crops sold in into							<u> </u>			
Check appropriate boxes that bes			or applie	ability of the	ne Migrator	v Bird Rule to			onal, isolated,	
non-navigable, intra-state aquatic								J		
TYPE OF DETERMINATION	l:				P	reliminary [	Or Approv	∕ed ⊠		
OPITIONAL ADDITIONAL I										
rationale used to determine NJ							gation or interst	ate comme	rce	
connections; and paragraph 4	– site info	rmation (	on wate	ers of the U	J.S. occurr	ing onsite):				

#### APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: McHenry County College PROJECT LOCATION/WATERWAY: 57.7 Acre Parcel along Ridgefield Road in Crystal Lake, McHenry County, Illinois / Crystal Creek Watershed FILE NUMBER: LRC-2006-1275 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2). Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: MCHENRY. U. S. Geological Survey Hydrologic Atlas: MCHENRY, HA 255. USDA National Resources Conservation Service Soil Survey for McHenry County. U. S. Geological Survey 7.5 Minute Topographic Maps: MCHENRY, 1992. U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_\_. U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_\_. Aerial Photographs (Name & Date): Advanced Identification Wetland Maps: \_\_\_ Site Visit Conducted on: Other information: October 2006 Planning Resources, Inc. Wetland Delineation Report Rationale for Basis (applies to any boxes checked above): The small depressional farmed wetland is an isolated depression with no visable outlet to other Waters of the U.S.; and therefore is non-jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated October 2006, prepared by Planning Resources, Inc. This office does not confirm your wetland boundary \_\_\_\_\_ Date: \_\_OJ FEB 07 Recommended by: \_\_\_\_\_ Date: \_\_\_\_\_\_ C 9 / 6 1 c >

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1											
REGULATORY PROJECT M	1ANAGE	CR: M	like Ma	chalek	П	<b>Date:</b> 09 Feb 0	7				
PROJECT REVIEW/DETER	MINATI	ON COM	PLETE			ce Y (Y/N)	Date: 09 F	eb 07			
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of s Name of waterway of SITE CONDITIONS:	f site by l site/prop	latitude & erty (incli		ıdinal coo		Hlino McHe 42,26 47.7	ois	3626957081			
Type of aquatic resource	0-1 ac 1-3 ac 3-5 ac			5-10 ac 10-25 ac		ac 25-50 a	c > 50 ac	Linear	Unknown		
Lake			+	+		<del>-  </del>		feet	<u> </u>		
River	H	H	H	<del>-       -   -   -   -   -   -   -   -  </del>							
Stream									H		
Dry Wash		<del>                                     </del>	+-						Η		
Mudflat		<del>                                      </del>	+=			⊢⊢			H		
Sandflat	<del>                                     </del>	$+$ $\vdash$ $\vdash$	╁┼								
Wetlands		H	╁┼	$\dashv \dashv$	$\dashv \vdash$				t H		
Slough	H		+	ᅢ	-H						
Prairie pothole	H	H	$HH^-$	+H			$\dashv$				
Wet meadow	H	H	+				-   -		H		
Playa lake	H	H	++						H		
Vernal pool		1		ㅡ		-H	᠆├		H		
Natural pond	H	+=	╁┼	ᆂ	$\dashv \vdash$	-					
Other water (identify type)	H	++-	12			-			<del>                                     </del>		
- Cinci water (identity type)											
Check appropriate boxes that bes jurisdictional aquatic resource are	t describe	type of iso	lated, no	n-navigabl	e, intra-stat	e water present	t and best estima	te for size of	non-		
Migratory Bird Rule Factors <sup>1</sup> :				If Known	1		If Unknown Use Best Professional Judgment				
				Yes	No	Predicted to Occur	Not Expected Occur	to Not A	ble To Make		
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ccted by							***************************************		
Is or would be used as habitat by o	other migr	atory bird	s that								
cross state lines?  Is or would be used as habitat for	endanger	ad eneries?		$\vdash$		$\vdash$ $\sqcap$		$\neg$			
Is used to irrigate crops sold in int					H	<del>                                     </del>	<del>    </del>				
Check appropriate boxes that bes			or appli	cability of t	he Migrator	ry Bird Rule to	apply to onsite,		ional, isolated,		
non-navigable, intra-state aquatic		•		,							
TYPE OF DETERMINATION	٧:				P	reliminary [	Or Appro	ved 🛚			
OPITIONAL ADDITIONAL I											

<b>A'PPLICANT:</b> Dr. Chung Wu <b>PROJECT LOCATION/WATERWAY:</b> 83rd Street West of Janes Avenue In the Village of Woodridge, DuPage County, Illinois
FILE NUMBER: LRC-2006-817 PROJECT REVIEW COMPLETED: ☑ Office ☐ Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>☑ U. S. Fish and Wildlife Service National Wetland Inventory: ROMEOVILLE.</li> <li>☑ U. S. Geological Survey Hydrologic Atlas: ROMEOVILLE, HA 146.</li> <li>☑ USDA Natural Resources Conservation Service Soil Survey for DuPage County.</li> <li>☑ U. S. Geological Survey 7.5 Minute Topographic Maps: ROMEOVILLE, 1993.</li> <li>☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles:</li></ul>
Rationale for Basis (applies to any boxes checked above): The one wetland area identified onsite within the project site appears to have no hydrological connection to a jurisdictional waters of the U.S. and is therefore isolated.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other
Basis for Declining Jurisdiction:
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary.
Recommended by:
Approved by: Date:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

occurrence of hydrophytic vegetation, hydric soils and wctland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

REGULATORY PROJECT MANAGER: Diedra Willis Date: February 2, 2007 PROJECT REVIEW/DETERMINATION COMPLETED: Date: February 2, 2007 In the office At the project site (Y(Y) Date: PROJECT LOCATION INFORMATION: State: Illinois County: DuPage Center coordinates of site by latitude & longitudinal coordinates: 41.7356995015 &-88.0430235015 Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: DuPage River SITE CONDITIONS: Type of aquatic resource 0-1 ac 3-5 ac 5-10 ac 10-25 ac 25-50 ac > 50 ac Linear Unknown 1-3 ac fcet Lake River Stream Dry Wash Mudflat Sandflat Wetlands Slough Prairie pothole Wet meadow Playa lake Vernal pool Natural pond Other water (identify type) Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of nonjurisdictional aquatic resource area. Migratory Bird Rule Factors1: If Known If Unknown Use Best Professional Judgment Yes No Predicted Not Expected to Not Able To Make Occur Determination to Occur Is or would be used as habitat for birds protected by Migratory Bird Treaties? Is or would be used as habitat by other migratory birds that  $\boxtimes$ cross state lines? Is or would be used as habitat for endangered species?

TYPE OF DETERMINATION:

Is used to irrigate crops sold in interstate commerce?

non-navigable, intra-state aquatic resource area.

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-817

Preliminary 🗌 Or Approved 🛚

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

1 Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated,

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Ryland Homes PROJECT LOCATION/WATERWAY: +/- 48 Acre Parcel off of McDonald Road in Elgin, Kane County, Illinois FILE NUMBER: LRC-2006-1362 PROJECT REVIEW COMPLETED: ⊠ Office ⊠ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of a tributery to as a stributery to a stri The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: ELBURN. U. S. Geological Survey Hydrologic Atlas: ELBURN, HA 229. □ USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: ELBURN, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): Advanced Identification Wetland Maps: KANE COUNTY Site Visit Conducted on: 09 Jan 07 Other information: November 3, 2006 Rationale for Basis (applies to any boxes checked above): The subject wetland has a tile blowout several feet below the surface that outletted across the street, through a ditch and into a farm pond with no visible outlet. Therefore, the area is isolated and non-jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soils other: wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated November 3, 2006, prepared by Phoenix Environmental, Inc. This office does not confirm your wetland boundary. Recommended by: \_\_\_\_\_\_Date: \_\_\_\_\_\_O( FESC > Approved by: <sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

Wetlands separated from other waters of the LLS, by many made dives or barriers, natural river bears, beach dupes, and the like are also

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1									
REGULATORY PROJECT M	IANAGE	R: M	like Mac	halek	I	<b>Date:</b> 05 Feb 0	7		
PROJECT REVIEW/DETER	MINATI	ON COM	PLETE	D:	In the offic	ce Y (Y/N)	Date: 05 Fe	eb 07	
				At th	ie project s	ite Y (Y/N)	Date: 09 Jan 07	7	
PROJECT LOCATION INFO	RMATI	ON:					•		
State:						Illing			
County: Center coordinates o	feita by l	atituda &	longitu	dinal coo	rdinates	Kane	: 345263006 /-88.3	876772250	
Approximate size of						48 A		10/11/2239	
Name of waterway or			.umg up	nanas ce	in acresji		ey Creek		
SITE CONDITIONS:	i water 31	· · ·				Ston	c)		
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 a	c 10-25	3 ac 25-50 a	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat		$\perp \square$		$\perp \square$					
Sandflat		1							
Wetlands		14-		$\perp$	<u> </u>				<u> </u>
Slough	<b>↓</b>	14-	₩.	14					
Prairie pothole		1	↓						
Wet meadow	<b>├</b> └	14-		1 🖳		-			
Playa lake	<u> </u>	$\vdash$		<u> </u>					
Vernal pool	닏	14		14					
Natural pond	<del>                                     </del>	<b>├</b> ├	14	ᆜᆜ					H
Other water (identify type)									
Check appropriate boxes that bes		type of iso	lated, no	n-navigab	le, intra-stat	c water presen	t and best estimat	e for size of	non-
jurisdictional aquatic resource are	2a.								
Migratory Bird Rule Factors1:				If Know	n	If Unknown	1		
						Use Best Pr	ofessional Judgmo	udgment	
				Yes	No	Predicted to Occur	Not Expected :	1,757	ble To Make ermination
Is or would be used as habitat for	birds prot	ected by					⊠		ermination
Migratory Bird Treaties?	(11)								
Is or would be used as habitat by coross state lines?	other migr	atory bird	s that						
Is or would be used as habitat for	endangere	d species?				$+$ $\neg$			
Is used to irrigate crops sold in int									
Check appropriate boxes that bes			or applic	ability of	the Migrato	ry Bird Rule to	apply to onsite, n	on-jurisdicti	onal, isolated,
non-navigable, intra-state aquatic	resource a	rea.							
TYPE OF DETERMINATION	N:				I	Preliminary [	Or Approv	red 🛚	
OPITIONAL ADDITIONAL I									
rationale used to determine NJ		-					gation or interst	ate comme	rce
connections; and paragraph 4	<ul> <li>site infe</li> </ul>	ormation	on wate	ers of the	U.S. occur	ring onsite):			

<b>APPLICANT:</b> Royal Assets, Inc. <b>PROJECT LOCATION/WATERWAY:</b> West side of Rt. 47, north of Galena Blvd. in Sugar Grove, Kane County, Illinois
FILE NUMBER: LRC-2006-1366 PROJECT REVIEW COMPLETED:   Office Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>☑ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>☑ U. S. Fish and Wildlife Service National Wetland Inventory: SUGAR GROVE.</li> <li>☑ U. S. Geological Survey Hydrologic Atlas: SUGAR GROVE, HA 227.</li> <li>☑ USDA Natural Resources Conservation Service Soil Survey for Kane County.</li> <li>☑ U. S. Geological Survey 7.5 Minute Topographic Maps: SUGAR GROVE, 1993.</li> <li>☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles:</li> <li>☐ U. S. Geological Survey I5 Minute Historic Quadrangles:</li> <li>☐ Aerial Photographs (Name &amp; Date):</li> <li>☐ Advanced Identification Wetland Maps:</li> <li>☐ Site Visit Conducted on:</li> <li>☑ Other information: October 25, 2006 Wetland Delineation Report prepared by LRMG.</li> </ul>
Rationale for Basis (applies to any boxes checked above): The subject wetland is a remnant of a larger filled wetland, along the property line. The subject area was an isolated depression with no historic connection to any waterway; and therefore is non jurisdictional.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soils wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  ☐ This office concurs with your wetland delineation report dated October 25, 2006, prepared by LRMG.  ☐ This office does not confirm your wetland boundary.
Recommended by: Date: Date: Description of the control of the
Date: 06 FEB 07

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and defineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1	366									
REGULATORY PROJECT MANAGER: Mike Machalek Date: 06 Feb 07										
PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: 06 Feb 07 At the project site (Y/N) Date:										
PROJECT LOCATION INFO	RMATIC	ON:								
State:						, e.e.e.e.e.e	nois			
County:					••	Kar				
Center coordinates of							7737817279 /-88.	.4443875925	)	
Approximate size of s			ding up	nands & i	n acres):	20	aleboum. Casale			
Name of waterway or SITE CONDITIONS:	watersn	eu:				ыа	ckberry Creek			
SITE CONDITIONS:										
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50	ac > 50 ac	Linear	Unknown	
Type or Equation resource	0.40		0 0 110	2 . 5		20 20		feet		
Lake										
River										
Stream										
Dry Wash										
Mudflat										
Sandflat										
Wetlands	$\boxtimes$									
Slough										
Prairie pothole									<u> </u>	
Wet meadow										
Playa lake									<u> </u>	
Vernal pool		Щ							<u> </u>	
Natural pond										
Other water (identify type)		Ш								
¹Check appropriate boxes that bes	t dosaniho	tuna of ical	ntad aa	u novicobl	a lutua atai	to Motor Propo	nt and bast actions	to for size of	non	
jurisdictional aquatic resource are		type of isoi	atea, no	n-navigabi	e, intra-sta	e water prese	int and best estima	ite for size of	non-	
Julisaietional adaute resource are						io.	<del></del>			
Migratory Bird Rule Factors1:				If Knowr	1	If Unknow	vn		-	
							rofessional Judgn			
				Yes	No	Predicted	Not Expected	2 5204	Able To Make	
Is or would be used as habitat for	nirds prote	ected by				to Occur	Occur		termination	
Migratory Bird Treaties?	on da prote	ceted by			-	-				
Is or would be used as habitat by	ther migra	atory birds	that							
cross state lines?									_	
Is or would be used as habitat for					<del></del>	1 🛛 🗀				
Is used to irrigate crops sold in int				L 1000 - C 1	<u> </u>	Di I D			toon tools and	
Check appropriate boxes that bes non-navigable, intra-state aquatic			or applic	cability of t	ne Migrato	ry Bird Rule	to apply to onsite,	non-jurisaici	ionai, isolated,	
non navigable, intra-state aquatic	resource d	ii cai								
TYPE OF DETERMINATION	TYPE OF DETERMINATION: Preliminary  Or Approved									
						J		_		
OPITIONAL ADDITIONAL I	NFORM	ATION S	UPPOF	RTING N	JD (e.g., p	aragraph 1 -	- site conditions:	; paragraph	is 2-3 –	
rationale used to determine NJ	D, includ	ling inform	nation	reviewed	to assess p	otential uav	igation or inters			
connections; and paragraph 4	– site info	ormation o	on wate	rs of the	U.S. occur	ring onsite):				

APPLICANT: PAR Development PROJECT LOCATION/WATERWAY: Woodstock
FILE NUMBER: LRC-2006-1006 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field
Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2).  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>U. S. Fish and Wildlife Service National Wetland Inventory: WOODSTOCK.</li> <li>U. S. Geological Survey Hydrologic Atlas: WOODSTOCK, HA 256.</li> <li>USDA National Resources Conservation Service Soil Survey for McHenry County.</li> <li>U. S. Geological Survey 7.5 Minute Topographic Maps: WOODSTOCK, 1992.</li> <li>U. S. Geological Survey 7.5 Minute Historic Quadrangles:</li> <li>U. S. Geological Survey 15 Minute Historic Quadrangles:</li> <li>Aerial Photographs (Name &amp; Date):2005, 2004, 2001</li> <li>Advanced Identification Wetland Maps: MCHENRY COUNTY</li> <li>Site Visit Conducted on: 10/20/06</li> <li>Other information:</li> </ul>
Rationale for Basis (applies to any boxes checked above): Referencing the Wetland Delineation Report dated December 21, 2004 as prepared by Raisanen & Associates, Inc. Wetland 1 is a drainageway flowing to the southwest of the project site. It drains to a tributary of the Nippersink Creek. The Nippersink Creek is tributary to the Fox River, a navigable waterway under Department of the Army jurisdiction. Wetland 2 is isolated and therefore not under jurisdiction of the Department of the Army.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated December 21, 2005, prepared by Raisanen & Associates, Inc.  This office does not confirm your wetland boundary
Recommended by: Date: 1/3/07
Approved by:  Date: 13107  Date: 2/5/0>

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1												
REGULATORY PROJECT M	1ANAGE	R: K	ate Bliss	5	Date: 1/31/07							
PROJECT REVIEW/DETER	MINATI	ON COM	PLETE	1000 A 1000	n the office		Date: 0/20/06	1				
PROJECT LOCATION INFO	RMATI	ON:			, ,	Illinoi						
County:						McHe	nry					
Center coordinates o							337751, -88.49	13419588				
Approximate size of			ıding ul	olands & ir	ı acres):	173						
Name of waterway of	r watersh	ed:				Fox						
SITE CONDITIONS:												
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear feet	Unknown			
Lake												
River												
Stream												
Dry Wash												
Mudflat												
Sandflat												
Wetlands	$\boxtimes$											
Slough									<u> </u>			
Prairie pothole			Ш_									
Wet meadow			14			-			<del>                                     </del>			
Playa lake	<del>      -                                </del>	14	14			<u> </u>			<del>                                     </del>			
Vernal pool	<del>      -   -   -   -   -   -   -   -   -</del>	14	14	<u> </u>	<u> </u>							
Natural pond	<del> </del>	14-	-	<del>-  </del>	<b>─</b> ├ <u></u>				<del>   </del>			
Other water (identify type)									\ L			
		_										
<sup>1</sup> Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	olated, no	on-navigable	e, intra-state	water present	and best estima	ite for size of	non-			
						17-22						
Migratory Bird Rule Factors <sup>1</sup> :				If Known		If Unknown Use Best Professional Judgment						
				Yes	No	Predicted	Not Expected		Able To Make			
				17 DR		to Occur	Occur		termination			
Is or would be used as habitat for Migratory Bird Treaties?				×								
Is or would be used as habitat by cross state lines?												
Is or would be used as habitat for				H	<del>                                     </del>		<u> </u>					
Is used to irrigate crops sold in interstate commerce?  Check appropriate boxes that best describe potential for applic					e Migrator	v Rird Rule to		non-iurisdic	tional isolated			
non-navigable, intra-state aquatic							——————————————————————————————————————					
TYPE OF DETERMINATION	N:				Pi	reliminary [	Or Appro	ved 🛚				
OPITIONAL ADDITIONAL	INFORM	IATION S	SUPPO	RTING NJ	D (e.g., pa	ragraph 1 – s	ite conditions;	paragraph	ıs 2-3 –			
rationale used to determine Na												

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

### APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: Lakewood Homes PROJECT LOCATION/WATERWAY: Bruce Property on St. Mary's Road in Mettawa, Lake County, Illinois / Des Plaines River tributary
FILE NUMBER: LRC-2006-1289 PROJECT REVIEW COMPLETED: M Office Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>U. S. Fish and Wildlife Service National Wetland Inventory: LIBERTYVILLE.</li> <li>U. S. Geological Survey Hydrologic Atlas: LIBERTYVILLE, HA 88.</li> <li>USDA Natural Resources Conservation Service Soil Survey for Lake County.</li> <li>U. S. Geological Survey 7.5 Minute Topographic Maps: LIBERTYVILLE, 1993.</li> <li>U. S. Geological Survey 7.5 Minute Historic Quadrangles:</li> <li>U. S. Geological Survey 15 Minute Historic Quadrangles:</li> <li>Aerials (Name &amp; Date):</li> <li>Advanced Identification Wetland Maps:</li> <li>Site Visit Conducted on: January 9, 2007</li> <li>Other information: CBBEL Wetland Delineation Report dated October 20, 2006</li> </ul>
Rationale for Basis (applies to any boxes checked above): Wetlands 1 and 2 are adjacent and contigous to Waters 5, and Wetland 7 is adjacent and contiguous to Waters 6; Waters 4 and 8 join to become Waters 6. Waters 5 and 6 are tributaries to the Des Plaines River, which is navigable below the Hoffman Dam in Riverside, Illinois. Wetland 3 is isolated, and therefore non-jurisdictional; and developed at the outlet of the septic field.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank shelving other
Basis for Declining Jurisdiction:
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  ☐ This office concurs with your wetland delineation report dated ☐ This office does not confirm your wetland boundary  ☐ This office does not confirm your wetland boundary
Recommended by:
Approved by: Date:
<sup>1</sup> Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-									
REGULATORY PROJECT M	1ANAGE	R: M	ike Ma	chalek	D	ate: 02 Feb 07			
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETE			e Y (Y/N) te Y (Y/N) I	Date: 02 F	ebruary 200°	7
PROJECT LOCATION INFO	RMATIC	ON:				()		,	
State: County: Center coordinates o Approximate size of Name of waterway o SITE CONDITIONS:	f site by I site/prope	atitude & erty (inclu				10	786 / -87.9280 aines River	)54	
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	$\boxtimes$								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool					$\perp \square$				
Natural pond		Щ	<del>      -   -   -   -   -   -   -   -   -</del>	$\perp$					
Other water (identify type)				🗀					
Check appropriate boxes that beginning a control of the control of		type of iso	lated, no	on-navigable,	intra-state	e water present a	and best estima	te for size of	non-
				_		_			
Migratory Bird Rule Factors':				If Known		If Unknown Use Best Profe	essional Judgm	nent	
				Yes	No	Predicted to Occur	Not Expected Occur	Det	ble To Make ermination
Is or would be used as habitat for Migratory Bird Treaties?	•								
Is or would be used as habitat by	other migr	atory bird:	sthat				$\boxtimes$		
cross state lines?	and an a ana	d annaise?						<u> </u>	
Is or would be used as habitat for Is used to irrigate crops sold in in				<del>                                     </del>	$\boxtimes$				
Check appropriate boxes that best non-navigable, intra-state aquatic	t describe	potential f	or appli	cability of the		y Bird Rule to a	pply to onsite,	non-jurisdicti	onal, isolated,
TYPE OF DETERMINATION					P	reliminary 🗌	Or Appro	ved 🏻	
OPITIONAL ADDITIONAL rationale used to determine N									
connections: and paragraph 4							non or inters	tate committee	

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Seguel Development, LLC PROJECT LOCATION/WATERWAY: Vacant Parcel north of Rt. 72 and east of Sleepy Hollow Road in West Dundee, Kane County, Illinois / Jelkes Creek Watershed FILE NUMBER: LRC-2006-1361 PROJECT REVIEW COMPLETED: Office Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). ☐ Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: ELGIN. U. S. Geological Survey Hydrologic Atlas: ELGIN, HA 147. □ USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: ELGIN, 1992. U. S. Geological Survey 7.5 Minute Historic Quadrangles:
U. S. Geological Survey 15 Minute Historic Quadrangles:
Aerial Photographs (Name & Date): Advanced Identification Wetland Maps: KANE COUNTY Site Visit Conducted on: 09 January 07 Other information: Rationale for Basis (applies to any boxes checked above): Wetland 1 is a man-made excavated detention basin, and wetlands 3, 4, and 5 are isolated pockets on an artificially raised fill pad created incidental to construction; so these features are all nonjurisdictional. Wetland/Water 2 is a remnant of a pre-existing tributary, and still flows to Jelkes Creek, which flows into the Fox River, a navigable in-fact waterway. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soils other:  $\boxtimes$ wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated MoHiga prepared by EnCof, Inc. This office does not confirm your wetland boundary. \_\_\_\_\_ Date: 05 FEG 07 Recommended by: <sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary

from methods described in the Corps Wetland Delineation Manual (1987).

Wetlands separated from other waters of the LLS, by man made dives or begriers, natural river become beauty dupes, and the like are also

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago

FILE NUMBER: LRC-2006-1	361										
REGULATORY PROJECT M	IANAGE	R: M	like Mad	chalek	Da	ate: 05 Fe	ebruary	07			
PROJECT REVIEW/DETER	MINATIO	ON COM	IPLETE			e Y (Y/N e Y (Y/N		Date: 02 late: 09 Jan (			
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of: Name of waterway of SITE CONDITIONS:	f site by l site/propo	atitude & erty (incli				K 4: 3-	Ilinois Lane 2.10205 4 Acres elkes Cr		.31082142	279	
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-	50 ac	> 50 ac	Linear feet	Uni	cnown
Lake			П								
River	<del>                                      </del>	T T	Ħ	<del>    -</del>	15					一片	
Stream	-	<del>                                     </del>	H		+ = -			<del>                                     </del>			
PRODUCT THE STATE OF THE STATE	片	<del>-  - </del>	+#-		<del> </del>	-+					
Dry Wash	<u> </u>	<u> </u>	14	14	<del>-  </del>			Ц		ᆜᆜ	
Mudflat		L									
Sandflat											
Wetlands	$\boxtimes$										
Slough											
Prairie pothole											
Wet meadow											
Playa lake											
Vernal pool											
Natural pond						$\neg \neg$					
Other water (identify type)											
Check appropriate boxes that bes		type of iso	lated, no	n-navigable, î	ntra-state	water pre	esent an	d best estim	ate for size	of non-	
		74 - 11.70		-						-	
Migratory Bird Rule Factors1:			-	If Known	<del>,</del>	If Unkn	own				
								sional Judge	ment		
				Yes	No	Predicto	ed i	Not Expected	d to No	ot Able T	o Make
		2 101			_	to Occu		Occur		Determin	ation
Is or would be used as habitat for Migratory Bird Treaties?				50-100 M				⊠ 			
Is or would be used as habitat by cross state lines?	A45.551							⊠ 			
ls or would be used as habitat for	endangere	d species?						<b>⊠</b>			
Is used to irrigate crops sold in int								⊗]			
<sup>1</sup> Check appropriate boxes that bes non-navigable, intra-state aquatic			for applic	cability of the	Migratory	Bird Ru	le to app	oly to onsite.	non-jurisc	lictional,	isolated,
TYPE OF DETERMINATION	N:				Pr	eliminar	ту 🗆	Or Appro	oved 🖂		
OPITIONAL ADDITIONAL rationale used to determine N. connections; and paragraph 4	JD, includ	ling infor	mation	reviewed to	assess po	tential n	avigati				-

APPLICANT: Harbor 4000 East LLC PROJECT LOCATION/WATERWAY: North of 138th Street, South of 131st Street, East of Avenue K, West of Clark Street, and 134th Street Bisects the Site in the City of Chicago, Cook County, Illinois/Wolf Lake
FILE NUMBER: LRC-2006-1370 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>U. S. Fish and Wildlife Service National Wetland Inventory: LAKE CALUMET.</li> <li>U. S. Geological Survey Hydrologic Atlas: LAKE CALUMET, 205.</li> <li>USDA Natural Resources Conservation Service Soil Survey for Cook County.</li> <li>U. S. Geological Survey 7.5 Minute Topographic Maps: LAKE CALUMET, 1991.</li> <li>U. S. Geological Survey 7.5 Minute Historic Quadrangles:</li></ul>
<b>Rationale for Basis (applies to any boxes checked above):</b> Wetland areas 2, 3, 4, 5, 6, 7, and 8 are isolated wetlands and area 9 is an isolated detention basin. Where as area 1 is an adjacent open water/wetland complex that is adjacent and connected to Wolf Lake which is eonnected to Lake Michigan a jurisdictional waters of the U.S.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of fitter and debris shelving changes in the character of soil other:  wetland boundary
Basis for Declining Jurisdiction:
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary.
Recommended by:
Approved by: Date:
<sup>1</sup> Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

REGULATORY PROJECT MANAGER: Diedra Willis Date: February 5, 2007  PROJECT REVIEW/DETERMINATION COMPLETED: In the office At the project site My/N) Date: February 5, 2006 PROJECT LOCATION INFORMATION: State: Illinois County: Cook Center coordinates of site by latitude & longitudinal coordinates: 41.6519695 & -87.5302805 Approximate size of site/property (including uplands & in acres): 120 Name of waterway or watershed: Lake Michigan  SITE CONDITIONS:	DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1370				
At the project site	REGULATORY PROJECT MANAGER:	Diedra Willis	Date: I	February 5, 2	2007
State: County: Conter coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: Lake Michigan	PROJECT REVIEW/DETERMINATION CO		7.11. 1.11.1. 9.11.1.1		
County: Cook Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed:  Cook 41.6519695 & -87.5302805 120 Lake Michigan	PROJECT LOCATION INFORMATION:				
Center coordinates of site by latitude & longitudinal coordinates:  Approximate size of site/property (including uplands & in acres):  Name of waterway or watershed:  41.6519695 & -87.5302805  120  Lake Michigan	State:			Illinois	
Approximate size of site/property (including uplands & in acres): 120 Name of waterway or watershed: Lake Michigan	County:			Cook	
Name of waterway or watershed:  Lake Michigan	Center coordinates of site by latitude	e & longitudinal	coordinates:	41.65196	695 & -87.5302805
n it Vint become 1995	Approximate size of site/property (in	ncluding upland	s & in acres):	120	
	21 12 W 1997 Person 11 21 W 1	-		Lake Mi	chigan

Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)	-								
<sup>1</sup> Check appropriate boxes that be jurisdictional aquatic resource as		type of iso	lated, non-	 -navigable, ir	tra-state wat	er present an	d best estima	ate for size of	non-

Migratory Bird Rule Factors1: If Known If Unknown Use Best Professional Judgment Not Able To Make Yes No Predicted Not Expected to Determination to Occur Occur  $\boxtimes$ Is or would be used as habitat for birds protected by Migratory Bird Treaties? Is or would be used as habitat by other migratory birds that  $\overline{\boxtimes}$ cross state lines? Is or would be used as habitat for endangered species? Is used to irrigate crops sold in interstate commerce? <sup>1</sup>Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

#### TYPE OF DETERMINATION:

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

Preliminary ☐ Or Approved ☒

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: County of Lake PROJECT LOCATION/WATERWAY: Northwest corner of Winchester Road and Rt. 21 in Libertyville, Lake County, Illinois FILE NUMBER: LRC-2006-1368 PROJECT REVIEW COMPLETED: 
⋈ Office ⋈ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: LIBERTYVILLE. U. S. Geological Survey Hydrologic Atlas: LIBERTYVILLE, HA 88. ☑ USDA Natural Resources Conservation Service Soil Survey for Lake County. U. S. Geological Survey 7.5 Minute Topographic Maps: LIBERTYVILLE, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Advanced Identification Wetland Maps: LAKE COUNTY. Site Visit Conducted on: 09 January 07 Other information: November 2006 Wetland Report by CBBEL. Rationale for Basis (applies to any boxes checked above): Wetland 1 drains into a storm sewer that runs east for about a mile before emptying into an unnamed tributary of the Des Plaines River. The Des Plaines River is navigable in-fact below the Hoffman Dam in Riverside, Illinois. Wetlands 2 and 3 are isolated farm wetland depressions, and therefore are nonjurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated November 2006, prepared by CBBEL. This office does not confirm your wetland boundary Approved by: Date: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago									
FILE NUMBER: LRC-2006-1	1368								
REGULATORY PROJECT M	1ANAGE	R: M	like Mac	halek	Ľ	Date: 02 Febr	uary 07		
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETE			ce Y (Y/N) ite Y (Y/N)	Date: 02 Fo	-	
PROJECT LOCATION INFO	RMATIC	ON:		750 011	e project si	110 1 (1711)	Date: 07 Junua		
State:						Illin	ois		
County:						Lake	2		
Center coordinates o						42.2	98970 / -87.9604	62	
Approximate size of			ıding up	lands & i	n acres):	110			
Name of waterway of	r watersh	ed:				Des	Plaines River		
SITE CONDITIONS:									
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 a	10-25	5 ac 25-50	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands				$\perp \sqcup$					
Slough									
Prairie pothole	Щ.								
Wet meadow		Ц	닏	$\perp$					Ц
Playa lake		14-	Щ						Ц
Vernal pool	14-	<b>┼</b> ├		11		-			<u> </u>
Natural pond		<u> </u>		1 1					
Other water (identify type)							اليا		
Check appropriate boxes that bes		type of iso	lated, no	n-navigabl	e, intra-stat	e water preser	nt and best estima	te for size of n	on-
jurisdictional aquatic resource are	ea.		_		-		-	-	
Migratory Bird Rule Factors1:				If Knowi	1	If Unknow			
					Lau		rofessional Judgm		
				Yes	No	Predicted to Occur	Not Expected Occur	0.5	ole To Make ermination
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ected by							
Is or would be used as habitat by coross state lines?	other inigr	atory bird	sthat						
Is or would be used as habitat for									
Is used to irrigate crops sold in int									
Check appropriate boxes that bes non-navigable, intra-state aquatic			or applic	ability of t	he Migrator	ry Bird Rule to	o apply to onsite, i	ion-jorisdictio	onal, isolated,
TYPE OF DETERMINATION	N:				P	Preliminary	Or Appro	ved 🛚	
OPITIONAL ADDITIONAL	INFORM	ATION S	SUPPOI	RTING N	JD (e.g., pa	aragraph 1 –	site conditions;	paragraphs	2-3 -
rationale used to determine N.	JD, includ	ding infor	mation	reviewed	to assess p	otential navi			
connections; and paragraph 4	- site info	ormation	on wate	rs of the	U.S. occuri	ring onsite):			

## APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: Prologis PROJECT LOCATION/WATERWAY: South of Durkee Road and West of S. Frontage Road, Channahon, Will County, Illinois  FILE NUMBER: LRC-2006-1049 PROJECT REVIEW COMPLETED:   Office   Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:    There are no waters on the project site.    There are non-jurisdictional waters on the project site.    There are waters of the United States on the project site.    There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>☑ U. S. Fish and Wildlife Service National Wetland Inventory: CHANNAHON.</li> <li>☑ U. S. Geological Survey Hydrologic Atlas: CHANNAHON, 362.</li> <li>☑ USDA Natural Resources Conservation Service Soil Survey for Will County.</li> <li>☑ U. S. Geological Survey 7.5-Minute Topographic Maps; CHANNAHON, 1993.</li> <li>☑ U. S. Geological Survey 7.5-Minute Historic Quadrangles:</li> <li>☑ U. S. Geological Survey 15-Minute Historic Quadrangles:</li> <li>☑ Aerials (Name &amp; Date): Channahon, 1997</li> <li>☐ Advanced Identification Wetland Maps:</li> <li>☑ Site Visit Conducted on: January 5, 2007</li> <li>☐ Other information:</li> </ul>
Rationale for Basis (applies to any boxes checked above): Wetland 4 drains across the railroad tracks via a metal corrugated culvert to Wetland 1. Wetland 1 drains into a ditch that heads south to the Des Plaines River, a navigable waters of the U.S. Wetlands 2, 3, 5 & 6 are isolated and therefore not jurisdictional.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
<ul> <li>☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>☑ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  ☐ This office concurs with your wetland delineation report dated May 26, 2006, prepared by Encap.  ☐ This office does not confirm your wetland boundary
Recommended by: Date: _/3 FE807
Recommended by:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPLICANT: Commonwealth Edison	PROJECT LOCATION/WATERWAY: Squaw Creek/Volo
FILE NUMBER: LRC-2007-30	PROJECT REVIEW COMPLETED:   Office   Field
action. (33 CFR 331.2)  Based on available information:  There are no waters on the project  There are non-jurisdictional water  There are waters of the United Sta	rs on the project site.
Basis of Jurisdictional Determination:	
☐ The presence of waters which are cur interstate or foreign commerce, including a of the U.S.) (33 CFR 328.3(a)(1)) ☐ The presence of interstate waters (inc ☐ The presence of a tributary to an inter ☐ The presence of wetlands adjacent? (except for those wetlands adjacent to ☐ The presence of an isolated water (e.g.	the United States present on the project site.  Trently used, or were used in the past, or may be susceptible for use to transport all waters which are subject to the ebb and flow of the tide (i.e., navigable waters luding interstate wetlands <sup>1</sup> ). (33 CFR 328.3 (a)(2))  Trestate water or other water of the US. (33 CFR 328.3 (a)(5))  bordering, contiguous, or neighboring) to interstate or other waters of the US, other wetlands. (33 CFR 328.3 (a)(7))  32., intrastate lakes, rivers, streams (including intermittent streams), mudflats, totholes, wet meadows, playa lakes, or natural ponds).
Information Reviewed	
<ul> <li>U. S. Geological Survey Hydrold</li> <li>✓ USDA Natural Resources Conse</li> <li>✓ U. S. Geological Survey 7.5 Min</li> <li>✓ U. S. Geological Survey 7.5 Min</li> <li>✓ U. S. Geological Survey 15 Min</li> </ul>	ute Historic Quadrangles: unty 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002 & 2005 d Maps: LAKE COUNTY.
Fox River, a navigable water of the United Stat jurisdiction of the Department of the Army. W	<b>cked above):</b> Wetlands labeled 1, 4 & 7 have a surface water connection to the es, via Squaw Creek and are therefore also waters of the United States under the etlands 2, 3, 5, 6, & 8 do not have a discernible surface water connection to a under the jurisdiction of the Department of the Army.
Lateral Extent of Jurisdiction (33 CFR 328 a Ordinary High Water Mark clear, natural line impressed the presence of litter and debi changes in the character of so wetland boundary	indicated by: on the bank
Basis for Declining Jurisdiction:	
Area under consideration is likely	ers listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria kely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve juris	sdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Engineering, Ltd	d delineation report dated November 2, 2006, prepared by Christopher B Burke
Recommended by:	Date: 2 15 0
Approved by:	Date
	hods and criteria established in the Corns Wetland Delincation Manual (87 Manual) (i.e.

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

# DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2007-120				
REGULATORY PROJECT MANAGER:	Melyssa Navis	Date:	13 Feb 200	07
PROJECT REVIEW/DETERMINATION CO		In the office the project site Y	(Y/N) (Y/N) D	Date: Date: 5 Jan 2007
PROJECT LOCATION INFORMATION:				
State:			Illinois	
County:			Will	
Center coordinates of site by latitud	e & longitudinal c	oordinates:	41 24' 2	21.51 & 88 12' 10.7
Approximate size of site/property (i	ncluding uplands a	& in acres):		
Name of waterway or watershed:				
SITE CONDITIONS:				

Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat		18 -							
Sandflat									
Wetlands				X					
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond								9	
Other water (identify type)									
	-								
<sup>1</sup> Check appropriate boxes that I jurisdictional aquatic resource		type of iso	olated, non	-navigable, i	ntra-state wat	er present ar	d best estim	ate for size o	f non-

Migratory Bird Rule Factors <sup>1</sup> :	If K	nown	If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	Ø						
Is or would be used as habitat by other migratory birds that cross state lines?							
Is or would be used as habitat for endangered species?							
Is used to irrigate crops sold in interstate commerce?		$\boxtimes$					
<sup>1</sup> Check appropriate boxes that best describe potential for applinon-navigable, intra-state aquatic resource area.	ica bility of t	he Migrator	y Bird Rule to	apply to onsite, non-	jurisdictional, isolated,		

Preliminary ☐ Or Approved ☒

#### TYPE OF DETERMINATION:

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):